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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARK JACOBSON,

Defendant.

NO. CR 07-0568 MHP

**STIPULATION AND ~~PROPOSED~~ ORDER
UNSEALING THE APPLICATION FOR
PERMISSION TO ENTER PLEA OF GUILTY**

The United States of America, by and through its attorney Assistant United States Attorney Kyle F. Waldinger, and the defendant Mark Jacobson, by and through his attorney Thomas F. Carlucci of Foley & Lardner LLP, hereby stipulate and agree that the Application for Permission to Enter Plea of Guilty in this matter may be unsealed. In further support of this request, the parties state as follows:

1. The defendant entered his plea of guilty in open Court on September 24, 2007. At that time, the Court ordered that the plea-related materials be filed under seal.

2. Since that time, the United States has obtained an Indictment charging the defendants David Nosal and Becky Christian with numerous offenses. That case is numbered CR 08-0237 MHP. Christian's case is set for trial on August 5, 2008.

3. The government intends to produce the defendant Mark Jacobson's Application

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1 for Permission to Enter Plea of Guilty to the defendants Nosal and Christian because it contains
2 statements of the defendant. Before doing so, the United States seeks to unseal that application.
3 (The Court previously unsealed the plea agreement.)

4 4. Accordingly, for the reasons stated above, the parties stipulate and agree that the
5 defendant Mark Jacobson's Application for Permission to Enter Plea of Guilty with the United
6 States should be unsealed. For purposes of clarity, the parties jointly request that the Court
7 unseal the docket entries numbered 7 through 9, which all pertain to the defendant's entry of
8 plea.

9 SO STIPULATED.

10 DATED: July 8, 2008

BRIAN J. STRETCH
Acting United States Attorney

11
12 /s/
13 KYLE F. WALDINGER
14 Assistant United States Attorney

15
16 DATED: July 8, 2008

17 /s/
18 THOMAS F. CARLUCCI
19 FOLEY & LARDNER LLP
Attorney for defendant Mark Jacobson

20 ~~PROPOSED~~ ORDER

21 Good cause appearing therefor, it is hereby ordered that the Application for Permission to
22 Enter Plea of Guilty filed in this matter on or about September 24, 2007 is UNSEALED. The
23 Court further orders that the docket entries 7 through 9 be UNSEALED.

24 DATED: July 10, 2008

25 MARILYN HADJI
26 UNITED STATES



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28 STIPULATION AND [PROPOSED] ORDER
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